

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

**NORMAN E. LACEY** )  
 )  
 )  
 )  
**Plaintiff,** )  
 )  
 )  
v ) **CIVIL ACTION NUMBER:**  
**CITY OF AUBURN,** ) **06-cv-1145-MEF**  
 )  
 )  
**Defendant** )

**NOTICE CONCERNING SETTLEMENT CONFERENCE AND  
MEDIATION**

Comes now, the counsel for the plaintiff, and indicates that the parties discussed settlement, and more discussions will be forthcoming.

Settlement discussions are hampered by plaintiff counsel's logistical ability to communicate with his client. Mr. Lacey, a civilian contractor, is assigned to a forward operating base in Iraq. Communication is extremely difficult and limited as Mr. Lacey moves frequently between forward operating bases in the country.

Mediation would not be helpful as Mr. Lacey is unable to participate.

Respectfully submitted,

s/Lee Winston  
Lee D. Winston  
Attorney for Plaintiff

**OF COUNSEL:**

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 28<sup>th</sup> day of January, I caused a copy of the foregoing to be served via the Court's Electronic Filing System on the following:

Randall Morgan  
Hill, Hill, Carter, Franco,  
Cole & Black, P.C.  
425 South Perry Street  
Montgomery, AL. 36104

DONE this the 28 day of January 2008.

s/Lee Winston  
Of Counsel